

Assembly Bill No. 2478

CHAPTER 405

An act to amend Section 68075.5 of the Education Code, relating to public postsecondary education.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2478, Hayashi. Student residency requirements: veterans.

Under existing law, the segments of the public postsecondary education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law establishes uniform student residency requirements for purposes of ascertaining the amount of tuition and fees to be paid by students of public postsecondary education institutions. Existing law entitles a student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the Armed Forces to resident classification for the length of time he or she lives in this state after being discharged up to the minimum time necessary to become a resident.

This bill instead would make those students exempt from paying nonresident tuition, and would revise that provision for purposes of the California Community Colleges by making a community college student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the Armed Forces exempt from paying nonresident tuition for up to one year, to be used while he or she lives in this state and within two years of being discharged, if he or she files an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible, thereby imposing a state-mandated local program. The bill would prohibit a former member of the Armed Forces of the United States who received a specified discharge from being eligible for an exemption.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 68075.5 of the Education Code is amended to read:

68075.5. (a) Except as provided for in subdivisions (b) and (c), a student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged shall be exempt from paying nonresident tuition for the length of time he or she lives in this state after being discharged up to the minimum time necessary to become a resident.

(b) (1) Except as provided for in subdivision (c), a community college student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged shall be exempt from paying nonresident tuition for up to one year if he or she files an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible.

(2) The one year exemption provided in paragraph (1) shall be used while the student lives in this state and within two years of being discharged.

(c) A former member of the Armed Forces of the United States who received a dishonorable or bad conduct discharge shall not be eligible for an exemption pursuant to this section.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.